

REMARKS

Claim Status

Claims 63, 64, 78, 94 and 96 are amended, claim 65 is canceled without prejudice or disclaimer, and new claims 104-106 are added.

Restriction Requirement

Applicant elects Group I without traverse and requests examination of pending claims 63, 64, 78, and 94-106.

Claim Rejections 35 USC § 112

The Office Action rejected claims 63, 64, 78, and 94-103 as failing to comply with the written description requirement. The Office Action asserts that “[t]he valve cavity being dimensioned, especially the reduced diameter counterbore, to permit said valve element to axially shift in two opposite directions (the examiner assumes this is up and down) is not disclosed in the specification so is deemed new matter.” Applicant respectfully submits that the pending claims contain no new matter.

Applicant notes that the language identified in the Office Action as being new matter differs from the actual elements recited in the claims. Examples of where support for the elements of the claims that relate to dimensions of a counterbore and axial shift in two opposite directions are at least the paragraphs 6, 17, 31 and 39 of the published application and Figure 2. Applicant respectfully submits that the pending claims contain no new matter.

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such other fees incurred as a result of entering this amendment to deposit account number 03-0172, order number 22188/06985.

Respectfully submitted,



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